

REMARKS

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Status of the Claims

Claim 1 has been amended to recite "such detection is conducted with probes targeting the 5 Mbases, 50 Mbases or 100 Mbases of the genome at a resolution of 100 bps or less." Support for the amendment may be found, e.g., on page 5, lines 3-4 and page 30, lines 16-17.

The specification is also amended to add an international publication number. In addition, new claims 10 to 12 are added. The support for the new claims can be found, e.g., on page 30, lines 16-17.

Applicants assert that no new matter is presented by these amendments and respectfully request entry of the same.

Rejections under 35 U.S.C. § 102 is obviated.

Claims 1-5 are rejected under 35 U.S.C. 102(a) as allegedly being anticipated by Tamayo et al. (U.S. 2002/0115070A1), as allegedly evidenced by Rava et al. (U.S. Patent No. 5,874,219A). The applicants respectfully disagree.

However, for the purpose of expediting the issuance of claims, Applicants have amended the claims to recite "such detection is conducted with probes targeting the 5 Mbases, 50 Mbases or 100 Mbases of the genome at a resolution of 100 bps or less." Applicants reserve the rights to pursue the original claims in a related application.

Applicants respectfully submit that the Tamayo et al. does not disclose the detection of the transcription of a large region of the genome at a resolution of 100 bps or

less. Applicants also submit that citing a secondary reference in this case is not appropriate in section 102 rejection.

Therefore, Applicants respectfully submit that this rejection of Claims 1-5 under 35 U.S.C. § 102 is obviated by the amendment.

Rejections under 35 U.S.C. § 103 should be obviated.

Claims 6-9 are rejected as allegedly being obvious over Tamayo et al. (U.S. 2002/0115070A1), as allegedly evidenced by Rava et al. (U.S. Patent No. 5,874,219A), and Lockhart et al. (U.S. Patent No. 6,040,138 A). Applicants respectfully disagree.

However, for the purpose of expediting the issuance of claims, Claim 1 has been amended to recite that the probes targeting the transcript sequences from the genome are at a resolution of 100 bps or less. The support for the new claims can be found, e.g., on page 30, lines 16-17. Applicants reserve the rights to pursue the original claims in a related application.

None of the cited reference, individually or in combination, discloses, suggests or motivates transcriptional profiling of a large segment of the genome at a resolution of 100 bps or less to compare transcriptional activity between differentiation stages. Therefore, Applicants respectfully submit that this rejection of Claims 1-5 under 35 U.S.C. § 103 is obviated by the amendment.

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CONCLUSION

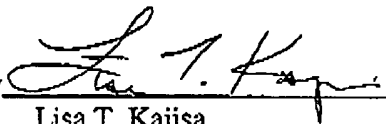
For these reasons, Applicants believe all pending claims are now in condition for allowance. If the Examiner has any questions pertaining to this application or feels that a telephone conference would in any way expedite the prosecution of the application, please do not hesitate to call the undersigned at (408) 731-5000.

The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account 01-0431.

Applicants respectfully request that a timely Notice of Allowance be issued in this case.

Respectfully submitted,

August 28, 2006

By 
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Attachments

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